



Application No. (if known): 09/523,767

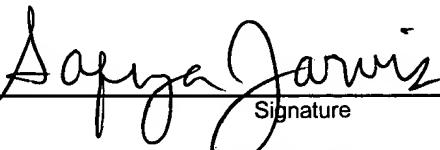
Attorney Docket No.: 49603(71699)

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on August 27, 2004
Date



Signature

Safiya Jarvis

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Five Month Request for Extension of Time Under 37 CFR 1.136(a)
Request for Continued Examination Transmittal
Previously Filed Amendment
Fee Transmittal
Letter to Examiner
Check in the amount of \$1,300.00
Return Receipt Postcard



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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,300.00)

Complete if Known

Application Number	09/523,767
Filing Date	March 11, 2000
First Named Inventor	Eugene De Juan, Jr.
Examiner Name	J. R. Baxter
Art Unit	3731
Attorney Docket No.	49603(71699)

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account:

Deposit Account Number **04-1105**

Deposit Account Name **Edwards & Angell, LLP**

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65 Surcharge – late filing fee or oath
1052	50	2052	25 Surcharge – late provisional filing fee or cover sheet.
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	110	2251	55 Extension for reply within first month
1252	420	2252	210 Extension for reply within second month
1253	950	2253	475 Extension for reply within third month
1254	1,480	2254	740 Extension for reply within fourth month
1255	2,010	2255	1,005 Extension for reply within fifth month
1401	330	2401	165 Notice of Appeal
1402	330	2402	165 Filing a brief in support of an appeal
1403	290	2403	145 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	110	2452	55 Petition to revive – unavoidable
1453	1,330	2453	665 Petition to revive - unintentional
1501	1,330	2501	665 Utility issue fee (or reissue)
1502	480	2502	240 Design issue fee
1503	640	2503	320 Plant issue fee
1460	130	1460	130 Petitions to the Commissioner
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	770	2809	385 Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385 For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
Other fee (specify)			
SUBTOTAL (1) (\$ 0.00)		SUBTOTAL (3) (\$ 1,300.00)	

** or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

**Reduced by the amount previously paid

SUBMITTED BY				
(Complete if applicable)				
Name (Print/Type)	William J. Daley	Registration No. (Attorney/Agent)	35,487	Telephone (617) 439-4444
Signature	<i>William J. Daley</i>			Date August 27, 2004



Attorney Docket No. 49,603 (71699)

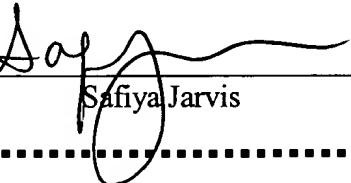
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS	E. de Juan, Jr., et al.	EXAMINER:	Baxter, Jessica, R.
U.S.S.N.:	09/523,767	GROUP:	3731
FILED:	March 11, 2000	Conf. No.	5862
FOR:	SUTURELESS OCCULAR SURGICAL METHODS AND INSTRUMENTS FOR USE IN SUCH METHODS		

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF EXPRESS MAILING

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By: 
Safiya Jarvis

LETTER TO EXAMINER

Sir:

A Response to Final Office Action dated July 27, 2004 was filed by Express Mail under the Expedited Procedure of 37 C.F.R. 1.116. In response to a call from the undersigned, the Examiner advised that as of August 26, 2004, the Examiner had not received Applicants' Response to Final Office Action as well as the related case file. As such, the Examiner recommended that Applicants take that action necessary to prevent the subject application from going abandoned.

Accordingly, Applicants are filing the within RCE to maintain the pendency of the subject

Applicant: E. de Juan, Jr., et al.
U.S.S.N.: 09/523,767
LETTER TO EXAMINER
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application along with requesting entry of the Final Office Action even though Applicants have not received an Advisory Action from the Patent Office relative to the Response.

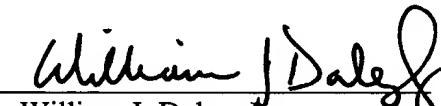
It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

Applicants believe that additional fees are not required for consideration of the within Letter to Examiner. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, the Commissioner is hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,
Edwards & Angell, LLP

Date: August 27, 2004

By:


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